

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED  
07 OCT -3 AM 9:33

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Steven SALAS

Defendant.

Magistrate Case No. *18*

DEPUTY  
07 MJ 23 59


COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section  
1324(a)(2)(B)(iii)-  
Bringing in Illegal Alien(s)  
Without Presentation

The undersigned complainant being duly sworn states:

On **October 02, 2007**, within the Southern District of California, defendant **Steven SALAS**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Maria Teresa GUEVADA-Posadas**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT  
Mario Avila, U.S. Customs and Border  
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3<sup>rd</sup> DAY OF  
October 2007.

  
UNITED STATES MAGISTRATE JUDGE

**PROBABLE CAUSE STATEMENT**

The complainant states that Maria Teresa GUEVARA-Posadas is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On October 02, 2007 at approximately 0421 hours Steven SALAS (Defendant) made application for admission into the United States at the San Ysidro, California Port of Entry. Defendant was the driver and sole visible occupant of a gray 1986 Dodge Van 250. Upon inspection before a CBP (Customs Border Protection) Officer Defendant gave two negative declarations. Defendant presented his California Identification and stated he was going to work. Defendant stated the vehicle belonged to his friend "Vicente". The inspecting officer noticed that the name listed on the vehicle title did not match the name provided by the defendant and elected to refer the vehicle to secondary inspection.

In secondary, a CBP canine alerted to the vehicle. CBP Officers in secondary discovered a non-factory compartment affixed to the undercarriage. Two undocumented Mexican citizens (one adult female and one juvenile male) were discovered concealed in the compartment. The adult female was held as a material witness and is now identified as Maria Teresa GUEVADA-Posadas. The juvenile male was turned over to the Mexican Consulate and returned to Mexico.

During a videotaped interview Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted knowing that there was at least one alien concealed in the vehicle. Defendant admitted he was going to receive a monetary payment of \$300.00 USD to smuggle the alien into the United States.

A videotaped interview was conducted with Material Witness. Material Witness stated she is a citizen of Mexico with no legal right to enter the United States. Material Witness stated she was traveling to Los Angeles, California. Material Witnesses stated her friends in the United States were going to pay unknown persons \$2,500.00 upon her arrival to Los Angeles.